

# EXHIBIT K

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

JOE ANDREW SALAZAR ) ( CIVIL DOCKET NO.  
VS. ) ( 2:16-cv-196  
HTC CORPORATION ) ( MARSHALL, TEXAS  
8:30 A.M.  
May 11, 2018

TRANSCRIPT OF JURY TRIAL  
BEFORE THE HONORABLE RODNEY GILSTRAP,  
UNITED STATES DISTRICT JUDGE

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(Proceedings recorded by mechanical stenography, transcript  
produced on a CAT system.)

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1 how to transport it. Whatever they're transporting, it's up  
2 to you.

3 So that's the second reason why we put an X through  
4 the microprocessor elements.

5 Now, ladies and gentlemen, I submit to you that  
6 neither the microprocessor element or the memory device  
7 element of either Claims 1 or 34 are found in the HTC One  
8 M7, One M8, and One M9 products.

9 And if you don't find them to be in those products,  
10 then you have to conclude there's no infringement in this  
11 case.

12 And if you conclude there's no infringement of  
13 Claim 1, you also have to do what this middle board shows,  
14 which is conclude that there's no infringement of Claims 2  
15 through 7 and 27 through 30 because they all depend from  
16 Claim 1.

17 There's one other reason, though, why you can find  
18 that HTC Corporation doesn't infringe, and that's because --  
19 it has nothing to do with microprocessors or memory devices,  
20 it just has to do with the United States, because only  
21 infringing acts in the United States count for infringement.  
22 Only if you import, make, use, sell, offer for sale in the  
23 United States can you be an infringer.

24 And Ms. Lai, who testified by deposition for you,  
25 explained that HTC America, not HTC Corp, is the importer.

1 She explained that HTC America offers and sells these  
2 products in the United States.

3 And very importantly, she showed you the invoices  
4 that are actually used. These are Defendant's Exhibits 36,  
5 37, 38, 39, 40, and 41. All of these invoices are for sales  
6 of phones and show that the invoices were issued by HTC  
7 America to American wireless carriers like Sprint, Verizon,  
8 and AT&T.

9 Now, ladies and gentlemen, I think that when you  
10 take this verdict form that Judge Gilstrap's going to give  
11 you, you have to answer this first question about whether or  
12 not there's infringement. And when you do --

13 Can I have the document camera, please?

14 Thank you.

15 And when you do, I submit to you that the credible  
16 evidence in this case shows that HT -- that the HTC One M7  
17 does not infringe any claims, nor does the M8, nor does the  
18 M9, and you should fill that form out just as I did with a  
19 bunch of noes.

20 Can I have the slide -- thank you.

21 But there's another reason why HTC shouldn't be  
22 found to pay any damages in this case, and it's called  
23 invalidity.

24 And, again, there are only two witnesses that you  
25 need to pay attention to for this, Dr. Wolfe and

1 Dr. Gottesman.

2 Now, you sat and listened to Dr. Wolfe, and I will  
3 humbly disagree with the characterization of his testimony.  
4 I think he was thorough in answering every question by  
5 myself and Mr. Keyhani. He gave a detailed claim-by-claim,  
6 element-by-element analysis.

7 THE COURT: 22 minutes have been used.

8 MR. LANDIS: Thank you, Your Honor.

9 He walked through the patent, and he walked through  
10 the Goldstein elements and showed you where every element  
11 was of every claim.

12 Dr. Gottesman actually agreed for the most part  
13 with Dr. Wolfe, he just said two elements are missing.

14 The first, the preamble, but he gave you no  
15 supporting evidence.

16 Dr. Wolfe testified about the patent and showed you  
17 where it was found.

18 The memory device element, again, Dr. Gottesman, no  
19 evidence.

20 Dr. Wolfe walked you through the columns, walked  
21 you through the figures of the Goldstein reference.

22 For Claims 29 and 30, Dr. Gottesman wanted to say  
23 that a touch sensitive screen is not a sensor. His  
24 testimony was contradicted by Mr. Salazar's other expert in  
25 the case.

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct transcript from the stenographic notes of the proceedings in the above-entitled matter to the best of my ability.

/S/ Shelly Holmes  
SHELLY HOLMES, CSR-TCRR  
OFFICIAL REPORTER  
State of Texas No.: 7804  
Expiration Date: 12/31/18

5/11/18  
Date